

**CIVIL CASE NO. 1:07cv184**

**Defendant.**

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## ORDER

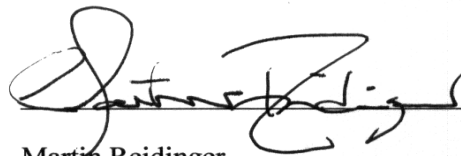
Pursuant to 28 U.S.C. § 636(b) and the standing Orders of Designation of this Court, the undersigned referred the Defendant's Motion to Transfer to the Magistrate Judge for a recommendation as to disposition of this motion. Having conducted a *de novo* review of those portions of the recommendation to which specific objections were filed, and having

evaluated and balanced independently the eleven factors relevant to determining whether a discretionary transfer is proper, see American Motorist Ins. Co. v. CTS Corp., 356 F. Supp. 2d 583, 585 (W.D.N.C. 2005), the Court adopts the factual findings of the Magistrate Judge as set out in the Memorandum and Recommendation, and concludes, for the reasons stated therein, that both quantitatively and qualitatively, the factors weigh in favor of retention of this matter in this district.

Accordingly, **IT IS, THEREFORE, ORDERED** that the Magistrate Judges Memorandum and Recommendation filed October 16, 2007 is hereby **ADOPTED**, and the Defendant's Motion to Transfer is **DENIED**.

**IT IS SO ORDERED.**

Signed: February 11, 2008

  
Martin Reidinger  
United States District Judge

